

APPEAL NO. 020408
FILED APRIL 3, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 24, 2002. The hearing officer determined that (1) the appellant (claimant) did not sustain a compensable injury on _____; (2) the claimant timely notified her employer of the claimed injury; and (3) the claimant did not have disability. The claimant appeals the injury and disability determinations on sufficiency grounds. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant did not sustain a compensable injury on _____, and did not have disability. The hearing officer's injury determination involved a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). The hearing officer could disbelieve the claimant, as he did, and determine that the claimant did not sustain the claimed repetitive trauma injuries. We cannot conclude that the hearing officer's injury determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986). Because the claimant did not sustain a compensable injury, the hearing officer properly concluded that the claimant did not have disability. Section 401.011(16).

The decision and order of the hearing officer are affirmed.

The true corporate name of the carrier is **MID-CENTURY INSURANCE EXCHANGE** and the name and address of its registered agent for service of process is

**FRED WERKENTHIN
JACKSON & WALKER
100 CONGRESS AVENUE, SUITE 1100
AUSTIN, TEXAS 78701.**

Edward Vilano
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Michael B. McShane
Appeals Judge